

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SULLIVAN COUNTY FABRICATION, INC.,

Plaintiff,

v.

SELECTIVE INSURANCE COMPANY OF
AMERICA, et al.,

Defendants.
-----X

ORDER

20-CV-05750 (PMH)

PHILIP M. HALPERN, United States District Judge:

Counsel for all parties appeared at The Hon. Charles L. Bricant Jr. Federal Building and Courthouse, 300 Quarropas Street, White Plains, New York, in Courtroom 420 at 3:00 p.m. today. Oral argument was had on the record.

For the reasons indicated on the record and law cited therein, defendants Selective Insurance Company of America and Selective Way Insurance Company's motion to dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure (Doc. 20) is GRANTED. Because plaintiff fails to state a claim, this action is dismissed with prejudice. See transcript.

The Clerk of the Court is respectfully directed to terminate the pending motion (Doc. 20) and close this case.

SO ORDERED:

Dated: White Plains, New York
May 19, 2021



Philip M. Halpern
United States District Judge